



## EMERGENCY TELEPHONE SERVICE COMMITTEE MEETING

Amway Grand Plaza Hotel  
Grand Rapids, Michigan

May 12, 2003

9:30 a.m.

### MINUTES

<b>MEMBERS PRESENT</b>	<b>REPRESENTING</b>
Mr. Paul Rogers, Chair	National Emergency Number Association
Mr. William Charon	Michigan Communications Directors Assoc.
Mr. Steve Berenbaum	Telecommunications Association of Michigan
Mr. Dale Berry	Michigan Association of Ambulance Services
Lt. Jim Hull	Deputy Sheriff's Association
Mr. Leonard Norman	Fraternal Order of Police
Ms. Suzan Hensel	Assn. of Public Safety Comm. Officials
Chief Kay Hoffman	Michigan Association of Chiefs of Police
Lt. Col. Peter Munoz	Department of State Police
Mr. Dan Kearney	Michigan Public Service Commission
Mr. Charles Nystrom	Public Member, House Appointee
Mr. Scott Temple	Commercial Mobile Radio Service
Sgt. Ron Johnson	Michigan State Police Troopers Association
Mr. John Hunt	Public Member, Governor's Appointee
Mr. Hugh Crawford	Michigan Association of Counties
Chief Paul Trinka	Michigan Association of Fire Chiefs
Mr. Lloyd Fayling	Public Member, Senate Appointee
<b>MEMBERS ABSENT</b>	<b>REPRESENTING</b>
Ms. Norene Lind	Dept. of Consumer and Industry Services
Sheriff Dale Gribler	Michigan Sheriffs' Association
Mr. Robert Struck	UP Emergency Medical Services Corporation
Mr. Paul Hufnagel	Michigan Professional Firefighters Union
<b>STAFF SUPPORT</b>	<b>REPRESENTING</b>
Ms. Mary Jo Hovey	Department of State Police
Ms. Jodie Frese	Department of State Police

The Emergency Telephone Service Committee (ETSC) meeting was called to order by Mr. Paul Rogers at 9:30 a.m.

### APPROVAL OF MINUTES

MOTION to approve the minutes of the March 28, 2003, ETSC meeting. A vote was taken and the MOTION CARRIED.

## REPORT OF CHAIR

### I. Recognition of Outgoing Committee Members

Ms. Christina Russell, Vice Chair, and Ms. Kelly Fennell are leaving the committee. They were both thanked for their contributions.

### II. Recognition of Incoming Committee Members

Mr. William Charon is the new appointee for the Michigan Communications Directors Association. Mr. Steve Berenbaum has been appointed to the committee representing the Telecommunications Association of Michigan. Mr. Leonard Norman of the Fraternal Order of Police will be filling in for several meetings on behalf of Mr. John Buczek.

### III. 3 Cent Fund

Lt. Col. Peter Munoz advised that the 3 Cent Fund report has gone to the Speaker of the House, with a copy to the Governor's Office. The report, drafted by Schumaker and Company, contains 10 proposals recommended for funding. Included in the recommendations is the creation of a State 9-1-1 Coordinator position.

## ELECTIONS

Ms. Suzan Hensel and Lt. Col. Peter Munoz were nominated and moved for the position of Vice Chair. A vote was taken and Lt. Colonel Munoz was supported for the position of Vice Chair.

## CMRS SUBCOMMITTEE REPORT

Lt. Colonel Munoz reviewed the 12 invoices presented to the committee. A question was raised if a pre-approval process is in place for invoices which exceed 125 percent of the CMRS emergency telephone charges submitted by a CMRS supplier. Lt. Colonel Munoz stated there is not a special process in place, however, the CMRS subcommittee has approved payments up to 125 percent of the funds actually deposited by the CMRS company into the CMRS fund. A supplier who submits an invoice without sufficient funds is considered for payment as any other invoice would be.

A further question was raised regarding established criteria for CMRS suppliers. Lt. Colonel Munoz noted this is covered in the Act. It was noted that the Training Subcommittee has an itemized list of what is acceptable to be covered with training funds. Consideration may need to be given to also doing this for the CMRS fund, as well as a pre-approval process. Lt. Colonel Munoz stated that the make-up of the CMRS subcommittee is such that expertise is provided in the different areas needed to provide guidance in making recommendations on invoices. Mr. Scott Temple noted there are wireless representatives on the subcommittee to assist in determining if wireless expenditures are appropriate.

Ms Suzan Hensel gave a historical perspective of the Recertification Committee and the process that was put into place for the distribution of funds, thus allowing agencies to move forward with their plans.

Mr. Rogers offered his opinion to the committee that is inappropriate and unethical for committee members to act on any action where members of the committee are engaged in a legal proceeding outside of the committee that is against the committee or one of its subcommittees. There is a conflict of interest to propose motions, and then vote in support of those motions that would have the impact of influencing a legal action that is in court.

Mr. Lloyd Fayling made a MOTION for the ETSC to direct the CMRS subcommittee to comply with the Barry County Circuit Court order and find SBC or any others eligible to receive CMRS fund distributions, despite the fact that it has not contributed to the CMRS fund. And further direct the CMRS subcommittee to develop a pre-expenditure approval process for DMRS suppliers who will be seeking to recover from the fund more than 125 percent of their contributions to the fund. A roll call vote was taken with 6 votes in favor, 6 votes against, and 4 abstaining.

Voting in favor of motion: Mr. Lloyd Fayling, Mr. Charlie Nystrom, Mr. William Charon, Ms. Suzan Hensel, Mr. Jim Hull, Mr. Leonard Norman.

Voting against motion: Lt. Col. Peter Munoz, Mr. Dale Berry, Chief Kay Hoffman, Chief Paul Trinkka, Mr. Hugh Crawford, Sgt. Ron Johnson.

The chair of the ETSC (Mr. Paul Rogers) cast his vote against the motion to break the tie. MOTION DEFEATED.

Abstained votes were made for the following reasons:

- Steve Berenbaum due to employment conflicts.
- John Hunt due to employment conflicts.
- Dan Kearney as certain aspects of the case may end up in front of the MPSC.
- Scott Temple due to employment conflicts.

MOTION to approve the following nine invoices: 03-0011, 03-0012, 03-0013, 03-0015, 03-0016, 03-0017, 03-0018, 03-0020, 03-0021, totaling \$356,765.30; and not approve for payment at this time Invoices 03-0014 in the amount of \$15,943.48 and 03-0019 in the amount of \$76,848.32 as both have no funds deposited into the CMRS account under the federal identification number provided; and Invoice 03-0022 in the amount of \$617,077.00 not approved as this invoice is for estimated expenses. A vote was taken and the MOTION CARRIED.

#### **RE-CERTIFICATION SUBCOMMITTEE REPORT**

Redrafting of the "Requirements for Certification for Wireless Funding 2004" document has not been addressed due to a change in the chair of the subcommittee. This item will be addressed at the next meeting.

#### **APPOINTMENT OF SUBCOMMITTEE CHAIR**

Mr. William Charon was appointed as chair of the Re-Certification Subcommittee.

## OLD BUSINESS

### I. Legislative Rewrite – Discussion

Mr. Rogers has met with his workgroup. They discussed several issues revolving around parity and funding. The workgroup has not had an additional opportunity to meet. However, the following motion is made to address the issue and allow the legislative package to move on.

MOTION to include in the Legislative proposal package the following provisions:

- A. To the extent possible, parity in cost recovery shall be implemented for all methods of accessing 9-1-1 services so that those entities that have costs also have a cost recovery mechanism detailed within the Emergency Service Enabling Act.
- B. To the extent applicable, 9-1-1 operational costs shall be borne equally by all methods of accessing 9-1-1 services. By way of example only, this includes: PSAP funding, dispatcher training funding, and funding of a state 9-1-1 Coordinator function.

MOTION CARRIED.

The parity Workgroup will continue to meet and address these issues.

Other topics being covered in the rewrite are:

1	A. Wireless Surcharge Sunset B. Repeal of Act
2	Multi-Line Telephone System (MLTS) Technology
3	A. Pre-paid Wireless Surcharge B. Annual Reporting and Accounting
4	Registration Requirement for Any Service System Resellers Providing Access to 9-1-1 in Michigan/Registration Requirement for CLECS in Michigan
5	9-1-1 Service Provider Access to CMRS Fund
6	Emergency Service Provider Release of Customer Information in Emergency Situations (Subpoena Process, etc.)
7	MDP Access to Wireless Funds
8	County Certification for Wireless Calls
9	Michigan 9-1-1 Coordinator
10	Alternative Uses for 9-1-1 Databases/Accessibility to 9-1-1 Databases
11	Qualified Obligation (Debt Retirement on Surcharge Ballot Proposals)
12	PSAP Certification for Direct Payment of Wireless Funds
13	Parity in Cost Recovery

MOTION for Michigan State Police staff to move forward with the entire legislative rewrite package, find a sponsor, and work with the Legislative Services Bureau. MOTION CARRIED.

Mr. Rogers reminded the committee that when the package is turned over to the bureau, the ETSC will no longer control the process. Close contact will need to be maintained between the Legislative entities represented on the committee and their designees.

#### **PUBLIC COMMENT**

- Mr. Douglas Van Essen urged the ETSC to consider the issues addressed today during the CMRS subcommittee report.
- Mr. Ralph Gould addressed ring delay. Grand Rapids has done a report, which he hopes the Ring Delay Subcommittee will review. Ms. Suzan Hensel will serve as chair of the Ring Delay Subcommittee. This issue will be added to the agenda for the next meeting.
- Mr. Dale Berry inquired what a conflict of interest (or dual interest) is and how it affects members of the ETSC.

Mr. Rogers was previously informed by Mr. David Voges, the Assistant Attorney General representative to the committee, that if a member of the committee were to have a financial interest in a matter, which comes before the ETSC, this would constitute a conflict of interest. Mr. Rogers further stated that the Legislature created this committee with members from different areas within the 9-1-1 industry and with differing points of view for that reason.

Mr. Rogers appointed Mr. Dale Berry as the chair of the Policy Subcommittee. He further asked this subcommittee to look into potential policy or guidelines on this issue raised by Mr. Berry.

- Mr. Hugh Crawford voiced his concerns on the ETSC chair voting on all matters which come before the committee and not serving as a tie breaker vote. Support staff will check guidelines on the proper voting procedures of a committee chair for report at the next meeting.
- Mr. Steve Todd, Flint 9-1-1, expressed a desire to see dispatcher certification in Michigan as a goal of the legislative rewrite process.

#### **NEXT MEETING**

An August meeting will be evaluated on an as-need basis.

The next meeting will be held in Tustin in conjunction with the conference September 24 – 26, 2003.

#### **ADJOURN**

The meeting adjourned at 11:05 a.m.

Approved:

PAUL M. ROGERS, CHAIR